

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	
v.	:	<b>Magistrate No. 21-1796 (J. Eddy)</b>
	:	
<b>JULIA JEANETTE SIZER</b>	:	
	:	
<b>Defendant.</b>	:	

**STIPULATION REGARDING RETURN OF DIGITAL MEDIA EVIDENCE AND  
ADMISSIBILITY AND USE OF DIGITAL MEDIA EVIDENCE**

The United States of America, by and through the undersigned, and defendant JULIA JEANETTE SIZER (“Defendant”), by and through her counsel listed below, hereby agree and stipulate as follows:

**RECITALS**

On or about September 2, 2021, pursuant to a court-authorized Search Warrant, Case No. 21-1777, Western District of Pennsylvania, government agents seized certain digital devices that includes the equipment and evidence itemized in the search warrant return inventory (“Inventory”), incorporated by reference in this Stipulation, from Defendant’s person during the execution of a search warrant.

Defendant seeks return of specified digital media described below (the “Digital Media”).

Following this seizure, the government has imaged and/or is imaging the Digital Media. The government has conducted and will continue to conduct a search of the imaged Digital Media (the “Images”).

The government intends to use materials discovered as a result of those searches as evidence in the pending and ongoing investigation and prosecution including, possibly, introducing those materials into evidence at trial or other proceedings.

Defendant has requested the return of the Digital Media listed below, and in the interest of expediting the return of the seized equipment and evidence, has agreed to stipulate to the following terms applicable to the specified Digital Media – that is, records, equipment and evidence itemized in the attached Inventory.

### **DIGITAL MEDIA**

The Digital Media for which Defendant seeks return consist of the following:

BLACK APPLE I-PHONE IN A GREEN TEAL CASE SUBSCRIBED TO AT CELLULAR NUMBER 724-971-1638, SERVICED BY THE CELLULAR COMMUNICATIONS PROVIDER VERIZON WIRELESS

### **STIPULATION**

Accordingly, the parties AGREE and STIPULATE as follows:

1. The government has agreed to return the Digital Media to defendant or defense counsel once the Images of the Digital Media and evidence thereon are completed.
2. The government will retain the Images of the Digital Media, including all evidence thereon, for use at trial and any other proceedings in this matter.
3. The Images of the Digital Media and/or any other copies are admissible at trial or any other proceeding in this matter to the same extent as the original Digital Media and evidence thereon (including original hard drive and computer disks), including but not limited to copies of the hard drive and printed copies of matters from the Digital Media.
4. Defendant waives any and all objections, and will not object, to the admissibility of the Images (and/or any portion of thereof) from the Digital Media on the grounds of foundation, authentication, and/or that the images are duplicates of, or not the original Digital Media, and/or any other objection under Articles IX and X of the Federal Rules of Evidence.
5. The government may retain and continue to examine the Images for materials identified in the search warrant.

6. Defendant retains the right to move to suppress the Images of the Digital Media pursuant to Fed. R. Crim. P. 41.

So stipulated.

Respectfully submitted and agreed,

STEPHEN R. KAUFMAN  
ACTING UNITED STATES ATTORNEY

Date: 9/2/2021 By: /s/  
SOO C. SONG  
Assistant U.S. Attorney

Date: 9/2/2021 /s/  
**Julia Jeanette Sizer**  
Defendant

Date: 9/2/2021 /s/  
**ROBERT E. MIELNICKI, ESQUIRE**  
Attorney for Defendant